

### REMARKS/ARGUMENTS

The Office Action mailed October 16, 2008 has been received and the Examiner's comments carefully reviewed. Claims 12-19 and 44-55 are rejected. No new matter has been added. For at least the following reasons, Applicants respectfully submit that the pending claims are in condition for allowance.

#### Double Patenting Rejections

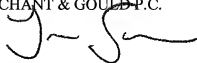
Claims 12-19, 44-45, 47-55 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-15 of U.S. Patent No. 7,349,675, hereafter US'675, in view of Lorang et al (US 5,548,814). Similarly, Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable by US'675 in view of Lorang, and further in view of Campana (US 6,567,397). In response, Applicants have included a terminal disclaimer to overcome the rejection under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-15 of U.S. Patent No. 7,349,675. Accordingly, the Applicants respectfully request that the rejection be withdrawn.

#### Conclusion

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicants at the telephone number provided below.

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Respectfully submitted,  
MERCHANT & GOULD P.C.



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